

OCT 25 2000

CLERK, SUPREME COURT
BY _____

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE
MATTHEW E. MCMILLAN
CASE NO. 00-17

SC CASE NO. SC00-703

**SECOND SUPPLEMENTAL/AMENDED WITNESS LIST AND EXHIBIT LIST
AND PROOF OF PRODUCTION OF EXHIBITS**

COMES NOW the Honorable Matthew E. McMillan and files this Second Supplemental/Amended Witness List and Exhibit List and Proof of Production of Exhibits and identifies the following additional witness and Exhibit List for purposes of the final hearing presently scheduled October 30, 2000 in Bradenton, Manatee County, Florida.

ADDITIONAL WITNESS

1. Teri L. Jones
10346 Palmbrooke Terrace
Bradenton, FL 34202

EXHIBIT LIST

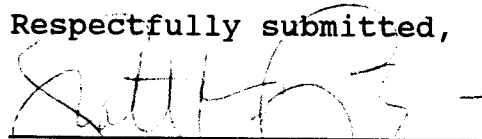
1. Manatee County Case No. 2000-CC-288, file contents of Lohrey v. Eastman. Already in possession of JQC.
2. County Court Bench Book, Criminal Edition, Chapter 8, Produced by the Education Committee of the Conference of County Court Judges of Florida, January 2000.
3. 1999 Florida Judicial College Materials, Phase 1, January 1999. Available for copying.
4. Pre-Test from 1999 Florida Judicial College, Phase I, January 1999.
5. Arrest Report, Manatee County Sheriff's Office Case No. 00-03-01158-15, Guadalupe Ocura.

6. Arrest Report, Manatee County Sheriff's Office Case No. 99-20216, Ronnie Atkins.
7. Arrest Report, Manatee County Sheriff's Office Case No. 99-20643, Ronnie Atkins.
8. First Appearance Records, Clerk's Case No. 99-1542T.
9. Sentencing Order, Clerk's Case No. 99-1542T, Ronnie Atkins.
10. Order of Disqualification, Clerk's Case No. 99-4040M, Ricardo Rosas.
11. Plea Form (Spanish), Clerk's Case No. 99-4040M, Ricardo Rosas.
12. Affidavit of Valerie Rosas, dated 3/22/00.
13. Affidavit of Judge Robert Farrance, dated 03/23/00.
14. Videotape of Advisory Hearing, January 31, 2000 (State v. Ocura). Available for copying.
15. Audiotape of Advisory Hearing, January 31, 2000 (State v. Ocura). Available for copying.
16. Transcript of Advisory Hearing, January 31, 2000 (State v. Ocura).
17. Deleted.
18. Letter dated 09/14/00 from Barbara Joyner to Respondent.
19. Newspaper Article, Bradenton Herald, 03/15/99, "Judge Puts Own Spin On Passing Sentences."
20. Memo from Matthew E. McMillan to Chief Judge Andrew Owens, et al., dated 04/15/99 regarding Drug Court.
21. Memo from Matthew E. McMillan to Office of the State Attorney, dated 02/18/99.
22. Memo from Matthew E. McMillan to Court Administration, dated 02/11/99;
23. Memo from Matthew E. McMillan to Office of the State Attorney, dated 07/15/99;
24. Newspaper Article, Manatee Herald Tribune, 09/12/00, "Judge Warned Accused May Flee." Copy unavailable.

25. Sarasota County Case No. 99-008996-CM-001, Matthew Dakan.
26. Deleted.
27. Manatee County Victim Rights Council letter dated 03/21/00.
28. Deleted.
29. Deleted.
30. Clerk's Case No. 00-838T, State v. Ryan New. Copy unavailable at this time. Copy unavailable at this time.
31. Manatee County Clerk's Case No. 97-689F, Gordon, Keith.
32. Manatee County Clerk's Case No. _____; Bober, Robert (case no. forthcoming).
33. Manatee County Clerk's Case No. 97-1218T, Kosmos, George.
34. Memo from Matthew E. McMillan to Barry Cohen dated 11/2/99.
35. Composite Exhibit relating to JQC Docket No. 00103, including complaint and JQC letter in response.
36. Clerk's file, Guadalupe Ocura, Case No. (Case no. forthcoming). Already in possession of JQC.
37. Report of polygraph examination.
38. Memorandum from the Honorable Matthew E. McMillan to the Honorable Thomas M. Gallen, dated August 3, 1999.
39. Composite exhibits of appellate opinions reversing Judges Thomas M. Gallen, Durand J. Adams and Scott M. Brownell. Copies to be provided.
40. All exhibits on JQC Exhibit List.
41. All exhibits on Co-counsel's Exhibit List, Case No. 99-10.

All exhibits are hereby produced with this document unless otherwise indicated.

Respectfully submitted,


SCOTT K. TOZIAN, ESQUIRE
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of October, 2000, the original of the foregoing Second Supplemental/Amended Witness List and Exhibit List and Proof of Production of Exhibits has been furnished by U.S. Mail to:

Honorable Thomas D. Hall
Clerk
Supreme Court of Florida
500 Duval Street
Tallahassee, Florida 32399

with copies to:

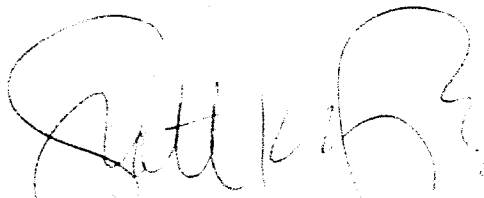
Brooke S. Kennerly
Executive Director
Florida Judicial Qualifications Commission
Room 102, The Historic Capitol
Tallahassee, Florida 32399-6000

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Tampa, Florida 33601

A handwritten signature in dark ink, appearing to read "Scott K. Tozian", written over a horizontal line.

SCOTT K. TOZIAN, ESQUIRE